

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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BROCKMOLE *et al.*,

Plaintiffs,

-against-

EZ FESTIVALS, LLC *et al.*,

Defendants.

**ORDER**

**23-CV-8106 (MMG)(JW)**

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**JENNIFER E. WILLIS, United States Magistrate Judge:**

In December 2023, Plaintiffs filed a Consolidated Complaint (the “Avchukov Complaint”). Dkt. No. 26. In March 2024, Defendants Avant Gardner LLC, Jurgen Bildstein, EZ Festivals LLC, and Made Event LLC moved to dismiss Counts 3, 5, 6, 7, and 8 of that Complaint. Dkt. No. 49.

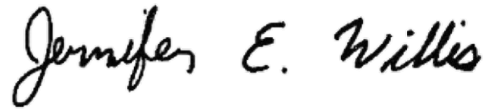
On April 4, 2024, Plaintiffs filed an Amended Consolidated Class Action Complaint (the “Avchukov Amended Complaint”). Dkt. No. 62. On April 18<sup>th</sup>, Defendants moved to strike the Avchukov Amended Complaint, and in the alternative, moved to dismiss the Avchukov Amended Complaint. Dkt. No. 65.

Thus, because the 2023 Avchukov Consolidated Complaint was amended, the Defendants’ Motion to Dismiss that Complaint is now moot. Therefore, the Motion is DENIED. However, Defendants’ Motion to Strike, or in the Alternative, to Dismiss the Amended Avchukov Complaint remains pending. Dkt. No. 65.

**The Clerk of the Court is respectfully requested to close Dkt. No. 49.**

SO ORDERED.

DATED: New York, New York  
June 20, 2024

A handwritten signature in black ink that reads "Jennifer E. Willis". The signature is written in a cursive, flowing style.

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JENNIFER E. WILLIS  
United States Magistrate Judge